

COUNCIL POLICY FORM

SUBJECT: Co-Sponsorship Policy

POLICY PURPOSE:

This policy is designed to provide a comprehensive statement of all eligibility requirements for organizations seeking to obtain co-sponsorship status with the City of Sunnyvale. The intent of this policy is to allow those groups in the community which are closely associated with the goals and objectives of the Recreation and Cultural Sub-element of the General Plan to receive the benefits of co-sponsorship as provided in this policy. In addition, other non-profit groups which are otherwise eligible for co-sponsorship may apply for limited benefits, with eligibility and benefits to be determined at the discretion of City Council.

POLICY STATEMENT:

1. Responsibility

The responsibility of according co-sponsorship status to an organization rests with the Boards or Commissions. In cases where there is no Board or Commission appropriate for the applicant organization, the responsibility of according Co-Sponsorship status rests with the City Council.

2. Definition

For the purposes of this policy, a City co-sponsored group is an organization officially recognized by the City of Sunnyvale, which:

- A. is independent in its organizational structure,
- B. accepts the terms of this policy, and
- C. provides a community service, or promotes an informed interest in the City's objectives, services, facilities and programs for the benefit of its residents, and/or has as its purpose the raising of funds and provision of financial support for the City's programs. When evaluating new applications, the appropriate Board or Commission will assess whether

there is a need for the activities of the applicant organization and/or whether a similar co-sponsored organization is already providing that service to an acceptable level.

3. Types of Co-Sponsorship Status

There are three types of co-sponsorship status accorded by the City:

- A. Full co-sponsorship status requires that 75% of the organization's members be residents of the City of Sunnyvale. Exemption: Eligible groups that have at least 50% Sunnyvale residents and the group primarily provides direct service to a City program as its major chartered purpose. Direct service includes volunteer programs and direct programs conducted on behalf of the City.
- B. Affiliated co-sponsorship status requires that 55% of the organization's members be residents of the City of Sunnyvale.
- C. Associated membership status requires that 15% of the organization's members be residents of the City of Sunnyvale.

4. Obligations

- A. Compliance with this policy is a continuing condition of co-sponsorship and will require application for renewal on an annual basis.
- B. A City co-sponsored group shall be non-profit and may be either an unincorporated association or a charitable corporation. It, or its sponsoring organizations, shall obtain and maintain tax-exempt status under state and federal laws so that contributions to it will be considered exempt for tax purposes.
- C. The financial activities of a City co-sponsored group shall be administered in accordance with prudent business practices and generally accepted accounting principles.
- D. Requests for staff services to a co-sponsored group shall be made in compliance with explicit policies and provisions of the operating budget and require advance approval. Such privileges are outlined in Section 7 and may include scheduling of the Community Center facilities and the printing of promotional materials.

- E. Commitments and expenditures by a City co-sponsored group shall be in accordance with the organization's own policies and shall be vouchered and approved by a duly appointed co-sponsored group officer, i.e. Treasurer.
- F. All published material printed by the City at City's expense for a City co-sponsored group must show the City's logo in addition to a footnoted annotation, "Co-Sponsored by the City of Sunnyvale, Department of" If the material is printed by the co-sponsored group and the City's logo is desired, the publication must be reviewed by the appropriate City Department representative.
- G. The City co-sponsored group's enabling documents (e.g. Articles of Incorporation, By-Laws, Constitution and any amendments) are subject to approval by the appropriate Board or Commission following a review of the criteria set forth for consideration of co-sponsorship status.

In order to assure compliance with the First Amendment, pertinent federal and state laws as well as City ordinances, each group's enabling documents shall:

- 1. specify the intent of the organization,
- 2. specify meeting and membership requirements,
- 3. contain a non-discrimination clause, and
- 4. contain a clause providing that in the event of dissolution, its assets shall be distributed to a non-profit organization having tax-exempt status under state and federal laws.

The purpose of the by-law review is not to alter the purpose, objectives, or method of organization of a group, but rather to ensure that said by-laws are in compliance with the provisions of Section 4, A-G of this policy.

5. Procedure for Seeking Co-Sponsorship Status

Any affiliation with the City for the purpose of attaining co-sponsorship status must be sought in accordance with the guidelines set forth below:

- A. The president, or the head of the governing board of the applicant organization, must submit the following documents to the Director of the City Department which most logically represents the interest(s) of the organization. For example, when an organization seeking co-sponsorship status considers its interests solely recreational in nature, the required documents will be submitted to the Director of Parks and Recreation for review by the Parks and Recreation Commission. In cases where the

organization's activities are oriented towards the cultural arts, the application must be submitted to the Director of Parks and Recreation for review by the Arts Commission. In cases where the organization's aims are concerned with the Library's interest, the application must be submitted to the Director of Libraries for review by the Library Board of Trustees.

- B. The following documents are required:
 - 1. An application form for co-sponsorship;
 - 2. A statement of compliance for co-sponsorship;
 - 3. A membership roster listing all names and addresses of all members with a notarized signature of the President of the organization attesting to the validity of the roster;
 - 4. A copy of its enabling documents (current constitution or by-laws); and
 - 5. Proof of liability insurance to cover unusual activities (when applicable and specifically required by the City).
- C. The Director of the appropriate Department will review the material for completeness and accuracy and prepare a report to the corresponding Commission (e.g. Parks and Recreation Commission, Arts Commission, or Library Board of Trustees) with its recommendation. In those instances where a group seeking co-sponsorship falls within the scope of service for which there is no advisory board or commission, co-sponsorship review and approval shall be considered by the City Council.
- D. The appropriate Board or Commission will review the application at either a regular or special meeting at which time representatives of the organization under consideration for co-sponsorship status will be asked to attend to answer any questions. Organization representatives will be given the opportunity to examine the report to the Commission prior to the meeting. This review is conducted for the purposes of assessing the applicant organization's ability to meet the criteria set forth by the above policy for co-sponsorship status.
- E. Following this review process, the Board or Commission will vote to either accept or deny the application for co-sponsorship status.
- F. If, in the opinion of the Board or Commission, an application for co-sponsorship should be denied, staff will make a report to the City Council

stating the Commission's reasons for such denial. In such instances, the organization may direct an appeal to the City council outlining its reasons why co-sponsorship should be granted.

6. Requirements for the Retention of Co-Sponsorship Status

Provided that the criteria for consideration of co-sponsorship status have been met, retention of this status is based essentially on the following factors:

- A. Compliance with City policies for co-sponsorship status as set forth in Section 4.
- B. Submittal to the appropriate Board or Commission via the appropriate City Department of an annual co-sponsored organization's financial and program report, including a complete listing of revenues and expenditures for the past fiscal year.
- C. Submittal to the appropriate Board or Commission via the appropriate City Department of any change in fee schedules, donations dues or charges as approved at a regular session by the co-sponsored organization.
- D. Retention of Officers comprising a minimum of 50% Sunnyvale residents except for Associated Co-Sponsorship Status.
- E. Registration with the State of California as a non-profit organization.
- F. Notification to the appropriate City Department of time and place of regular meetings.
- G. Notification to the appropriate City Department of time and place of regular meetings.
- H. Changes to an organization's Constitution (amended by a majority vote) must be submitted to the appropriate Commission or Board via the appropriate City Department for final approval, in accordance with the purposes stated in Section 4-G of this document.

7. Privileges and City Coordination

Provided that the requirements for co-sponsorship status have been met and that the organization has obtained advance approval from the City, the organization will be entitled to certain in-kind contributions, including certain staff assistance as further specified below.

A. Privileges for Fully Co-Sponsored Organizations

1. Free listing of organization's name, contact person and telephone number in activity guides.
2. Dissemination of information to the public through conventional means (e.g. patron enquiry, utility inserts).
3. Scheduling of school, park, community center, or other City facilities on a first priority basis after City scheduled activities, consistent with City policy on facility use.
4. Printing of flyers, program, ticket, stationery and other projects on request (does not include correspondence).
5. Assistance with newspaper publicity upon request.
6. Provision for occasional supervision of activities if requested and approved in advance.
7. Provision of a staff liaison person appointed by the appropriate Department Director.

B. Privileges for Affiliated Organizations

1. Free listing of organization's name, contact person and telephone number in activity guides.
2. Dissemination of information to the public through conventional means (e.g. patron enquiry, utility inserts).
3. Scheduling of school, park, community center, or other City facilities on a second priority basis after fully co-sponsored groups.
4. One annual printing for membership solicitation (no other printing provided).

C. Privilege for Associated Organizations

1. Free listing of organization's name, contact person and telephone number in activity guides.
2. Assistance in locating suitable public facilities based on availability.

D. Limitations

1. Notwithstanding the privileges outlined in A-C above, the Director of Parks and Recreation or his/her designee may evaluate any fully co-sponsored organization within the purview of Program 617 of the Leisure Services Section of the Department of Parks and Recreation, otherwise entitled to schedule use of school, park, Community Center, or other City facilities pursuant to this policy as to the following factors:
 - a. The number of participants served by the organization.
 - b. The proportion of participants in the organization who are Sunnyvale residents.
 - c. The current annual value of in-kind services provided to the organization by the City.
 - d. The current annual value of such services per participant of such organization.
 - e. The level of demand for the facilities used by the organization by other individuals, groups or organizations which would conflict with such use.

If the Director or his/her designee determines that:

- a. The number of participants served by the organization is relatively low and/or the proportion of its participants who are Sunnyvale residents is relatively high; and
- b. The current annual value of in-kind services provided to the organization by the City per participant is relatively high; and

- c. There is a relatively heavy level or demand by other individuals, organizations or groups for use of the facilities at the same times as they are normally used by the organization, then the Director or his/her designee may withhold the privilege of first or second priority scheduling of facilities. The organization shall be given written notice of any such determination. If the organization disagrees with such determination it may appeal to the board or commission having jurisdiction in determining that organization's co-sponsorship status. If that board or commission does not overrule such determination, the organization may appeal to the City Council.
2. The privileges outlined in A-C above will be provided within reasonable limits. Adequate advance notice of publication and facility needs must be provided. Use of staff resources, other than general liaison activities, requires ample advance notice and must be consistent with budget priorities.

The amendment to this policy approved by the City Council on October 27, 1992, shall be operative with respect to applications for co-sponsorship status for the 1993/94 Fiscal Year and thereafter.

Report to Council No. 84-644, 88-238, 92-519

Approved by City Council on December 4, 1984

Amended by City Council on May 17, 1988

Amended by City Council on October 27, 1992

Deputy City Clerk Certification _____